



Order Filed on June 24, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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**Attorneys for U.S. Bank Trust National Association,  
not in its individual capacity but solely as owner trustee  
for RCF 2 Acquisition Trust c/o U.S. Bank Trust  
National Association**

**In Re:**

**ELIZABETH C BROWN  
RUSSELL E BROWN,**

**Debtors.**

Case No.: 18-18714-MBK  
Judge: Hon. Michael B. Kaplan  
Hearing Date(s): \_\_\_\_\_  
Chapter: 13

Recommended Local Form

☒ Followed

☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

**DATED: June 24, 2022**

Honorable Michael B. Kaplan  
United States Bankruptcy Judge

Applicant: U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association  
Applicant's Counsel: Schiller, Knapp, Lefkowitz & Hertz, LLP  
Debtors' Counsel: Daniel E Straffi, Esq.  
Property Involved ("Collateral"): 76 Wave Street, Beachwood, NJ 08722

Relief sought: ☒ Motion for relief from the automatic stay  
☐ Motion to dismiss  
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtors' future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtors are overdue for one month, June 1, 2022 post-petition Payment.

☒ The Debtors are overdue for two payment at \$1,717.64 per month with \$845.06 in suspense

☐ The Debtors are assessed for \_\_\_\_\_ late charges at \$\_\_\_\_\_ per month.

☒ Applicant acknowledges receipt of funds in the amount of \$ 8,588.20 received after the motion was filed.

Total Arrearages Due \$2,590.22.

2. Debtors must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$845.06. Payment shall be made no later than February 15, 2022.

☒ Beginning on February 1, 2022, regular monthly mortgage payments shall continue to be made in the amount of \$1,717.64.

☐ Beginning on \_\_\_\_\_, additional monthly cure payments shall be made in the amount of \$\_\_\_\_\_ for \_ two months.

☐ The amount of \$\_\_\_\_\_ shall be capitalized in the debtors' Chapter 13 plan. The debtors' monthly payment to the Chapter 13 Trustee is modified to be \$\_\_\_\_\_ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

X Regular monthly payment: Selene Finance LP – Attention BK Dept  
9990 Richmond Avenue, Suite 400 South  
Houston, Texas 77042

X Monthly cure payment: Selene Finance LP – Attention BK Dept  
9990 Richmond Avenue, Suite 400 South  
Houston, Texas 77042

4. In the event of Default:

X If the Debtors fail to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

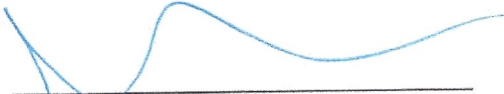
X The Applicant is awarded attorney's fees of \$350.00, and costs of \$188.00.

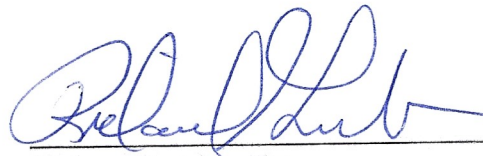
The fees and costs are payable:

X through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

  
\_\_\_\_\_  
Daniel E. Straffi, Esq.  
Attorney for Debtor

  
\_\_\_\_\_  
Richard Gerbino, Esq.  
Attorney for Creditor